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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedom

Programme budget for the biennium 2002-2003

Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities

Programme budget implications of the draft resolution contained in document A/57/357

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedures of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of the draft resolution contained in paragraph 16 of the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities (A/57/357), the General Assembly would, inter alia:

(a) Decide that the Ad Hoc Committee should hold, within existing resources, at least one meeting in 2003 of a duration of ten working days, prior to the fifty-eighth session of the General Assembly;

(b) Encourage States to hold meetings or seminars to contribute to the work of the Ad Hoc Committee, in cooperation with, as appropriate, the Division for Social Policy and Development, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on Disability of the Commission for Social Development and non-governmental organizations;

(c) Request the Secretary-General to:

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(i) Seek the views of Member States, observer States, relevant bodies and organizations of the United Nations system, including human rights treaty bodies, and the Special Rapporteur on Disability, on proposals for a convention;

(ii) Submit to the Ad Hoc Committee at its second session a comprehensive report on the views submitted, to be issued at least six weeks before the commencement of the second session;

(iii) Continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work and, in this context, invite the Secretary-General to reallocate resources in order to allow the United Nations Programme on Disability to provide the necessary support to the Ad Hoc Committee;

(d) Decide to establish a voluntary fund to support the participation of non-governmental organizations and experts from developing countries, in particular from the least developed countries, and to invite Governments, civil society and the private sector to contribute to the voluntary fund;

(e) Request the Secretary-General to forward a comprehensive report of the Ad Hoc Committee to the Assembly at its fifty-eighth session.

II. Activities to be carried out in relation to the second session of the Ad Hoc Committee

2. The activities to be carried out in 2003 would include:

(a) Substantive servicing of 26 meetings. Intersessional meetings of the Bureau (6) and meetings of the second session of the Ad Hoc Committee (20);

(b) Parliamentary documentation. Annotated agenda for the second session of the Ad Hoc Committee; information for participants; report on the views of Member States, observer States and relevant bodies and organizations of the United Nations on proposals for a convention; reports of meetings and seminars held by States as contributions to the work of the Ad Hoc Committee; report on the work of the Ad Hoc Committee at its second session for submission to the General Assembly at its fifty-eighth session;

(c) Conference servicing of the second session of the Ad Hoc Committee in New York.

3. The activities would be carried out by the Department of Economic and Social Affairs.

III. Estimated resources requirements

4. The related resources that would be required are estimated at $90,000 (representing six work-months of a Professional post at the P-3 level and six work-months of a General Service post).

5. The conference-servicing requirements for the convening of the second session of the Ad Hoc Committee in New York in 2003 are estimated at $378,500, at full

cost. Should the Ad Hoc Committee hold its second session during the period from 19 to 26 June 2003, the related conference-servicing requirements would be met within the resources approved for the biennium 2002-2003. *It is recommended that* the General Assembly decide that the second session of the Ad Hoc Committee be held during that period.

6. It is recalled that the Secretary-General established the Voluntary Fund on Disability several years ago and that resources from that Fund have been used to finance technical cooperation projects and the activities of the Special Rapporteur on Disability. The voluntary contributions that may be mobilized to support the participation of non-governmental organizations and experts from developing countries, in particular from the least developed countries, in the work of the Ad Hoc Committee may therefore be accounted for in a separate sub-account within the existing trust fund. In this connection, the General Assembly is requested to clarify the meaning of the support to be provided, in particular whether the support would include only the payment of travel costs or the payment of the costs of the travel and daily subsistence allowance of the participants, and whether the payment would be made to one representative from each non-governmental organization and one expert from each country, or otherwise. It should be noted that the payment of such costs to participants from non-governmental organizations and from developing countries to attend the meetings of the Ad Hoc Committee would represent an exception to the provisions of General Assembly resolution 1798 (XVII) of 11 December 1962, as amended by the Assembly in subsequent resolutions.

IV. Contingency fund

7. It is recalled that, under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available within the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

8. Under the procedure for operation of the contingency fund outlined in section C of the annex to General Assembly resolution 42/211 of 21 December 1987, the Secretary-General would, in his consolidated statement of all statements of programme budget implications and revised estimates, make proposals for revising the consolidated amount so that it would not exceed the available balance. In so doing, the Secretary-General would be guided by the indications of alternatives included in each statement of programme budget implications and in each proposal for revised estimates. The respective legislative bodies should take action on such alternatives at the time they adopt the decision or resolution in question.

9. Although it has not been possible at the present stage to identify activities in section 9 of the programme budget for the biennium 2002-2003 that could be terminated, deferred, curtailed or modified during the biennium, it is anticipated that efforts in this regard will continue in 2003 and, if these efforts are not successful,

the required resources would be sought in the context of the consideration of the second performance report at the fifty-eighth session of the General Assembly. Consequently, the amount of $90,000 referred to in paragraph 4 above need not be appropriated.

V. Summary

10. **Should the draft resolution contained in paragraph 16 of document A/57/357 be adopted, the second session of the Ad Hoc Committee would be held during the period from 16 to 27 June 2003, expenditure of $90,000 would be required. This amount will be absorbed to the extent possible, but should this prove not to be possible, the necessary funds would be sought in the context of the consideration by the General Assembly of the second performance report at its fifty-eighth session.**

11. **Further, the Assembly is requested to clarify the conditions and modalities of the support to be provided to participants from non-governmental organizations and experts from developing countries.**